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THE COUNCIL OF THE CITY OF LONGMONT, COLORADO, ORDAINS:

Chapter 16.40 of the Longmont Municipal Code is hereby repealed and reenacted to read as follows:

Pursuant to Part 2 of Article 16 of Title 31 CRS, as amended, and Article IV, Municipal Charter of the City of Longmont, Colorado, there is adopted as the conservation code of the City, by reference thereto, the International Existing Building Code 2012 Edition, including Resource Chapter A., published by the International Code Council, Inc., 4051 West Flossmoor Road, Country Club Hills, IL 60478, that code to have the same force and effect as if set forth herein in every particular save and except such portions as are deleted, modified, substituted or amended in this chapter. The subject matter of the adopted code includes minimum standards applicable to existing structures in order to preserve and upgrade the inventory of such existing structures in the community in order to serve the public health, safety and general welfare. All references in this code to the International Existing Building Code are to the edition referenced above.

At the time of adoption, one certified true copy of the International Existing Building Code, published by the International Code Council is on file in the office of the City Clerk and may be inspected by any interested person between the hours of eight a.m. and five p.m., Monday through Friday, holidays excepted. The city shall keep a copy of the adopted code in the office of the chief enforcement officer for public inspection. The building code, as finally adopted, is available for sale at the office of the city clerk, at a price reflecting cost to the city as established by the city manager, pursuant to this municipal code.

16.40.030 Section 101.1 amended—Title.

1 Section 101.1 of the International Existing Building Code is amended by
2 insertion of “the City of Longmont” in the brackets.

3 16.40.040 Section 101.2 amended—Scope.

4 Section 101.2 of the International Existing Building Code is amended by the
5 addition of the following:

6 All residential dwelling units must be equipped with smoke detection per
7 Section 907 of the International Building Code and carbon monoxide detection
8 per Section 908.7 of the International Building Code or Section R315 of the
9 International Residential Code as applicable.

10 16.40.050 Section 106.3 amended -- Approval of construction documents.

11 Section 106.3 of the International Existing Building Code is amended by
12 replacement of the first sentence as follows:

13 “When the building official issues a permit, the construction documents
14 shall be approved, in writing or by a stamp which states “APPROVED AS
15 NOTED.” One set of construction documents so reviewed shall be retained by the
16 building official. The other set shall be returned to the applicant, shall be kept at
17 the site of the work and shall be open to inspection by the building official or his
18 or her authorized representative.

19 16.40.060 Section 112 replaced--Board of Appeals.

20 Section 112 of the International Existing Building Code is deleted in its
21 entirety and replaced with the following:

22 For provisions relating to the board of appeals, see Chapter 16.30 of the
23 Longmont Municipal Code.

24 16.04.070 Section 113 replaced—Violations.

25 Section 113 of the International Existing Building Code is amended by the
26 addition of the following:

27 113.1 Unlawful acts. It is unlawful for any person to erect, install, alter,
28 repair, relocate, add to, replace, demolish, use, occupy or maintain any building or
29 structure, or cause or permit the same to be done, in violation of this code.

30 113. 2 Violation Any person committing or permitting a violation of this
31 code commits a separate offense for each day or part of a day during which the

1 violation exists. Offenses are punishable according to Chapter 1.12 of the
2 Longmont municipal code.

3 113.3 Violation penalties. Imposition of one penalty for any violation
4 shall not excuse the violation nor permit it to continue, and all such persons shall
5 correct or remedy such violations or defect within a reasonable time.

6 113.4 Prosecution of violation. In addition to any other penalties, any
7 violation of this code is a public nuisance and shall be enjoined by a court of
8 competent jurisdiction. Nothing in this code shall prevent the city attorney from
9 seeking appropriate legal or equitable relief from any court of competent
10 jurisdiction.

11 16.40.080 Section 202 amended Definitions

12 Section 202 of the International Existing Building Code is amended by the
13 addition of the following:

14 BEDROOM/SLEEPING ROOM: An enclosed space within a dwelling
15 unit, used or intended to be used for sleeping purposes, meeting the minimum
16 area requirements of the building code or containing a closet or similar area which
17 is easily converted into a closet (such space needs only doors to become a closet).

18 CHILD/CHILDREN: A person twelve years of age or younger.

19 16.40.090 Section 301.1.1 amended Prescriptive compliance method.

20 Section 301.1.1 of the International Existing Building Code is deleted in
21 its entirety.

22 16.40.100 Section 301.1.3 amended Performance compliance method.

23 Section 301.1.3 of the International Existing Building Code is deleted in
24 its entirety.

25 16.40.110 Chapter 4 deleted– Prescriptive compliance method.

26 Chapter 4 of the International Existing Building Code is deleted in its
27 entirety.

28 16.40.120 Section 501.2 amended–Work area.

29 Section 501.2 of the International Existing Building Code is amended by
30 the addition of the following sentence:

1 When within any 24 month period, renovation, remodeling, modification or
2 additions to any existing occupancy exceeds 50% of the floor area, the entire
3 occupancy shall comply with the requirements of Chapter 9 of the International
4 Fire and the International Existing Building Codes.

5 16.40.130 Section 801.3 amended – Compliance.

6 Section 801.3 #4 of the International Existing Building Code is amended
7 by the addition of the following:

8 Existing basement construction with ceiling heights below 6’8” in height shall not
9 be considered habitable space and are not subject to variances from the Master
10 Board of Appeals. The Building Official may allow existing basements with
11 ceiling height between 6’8” and 7’ to be finished and or occupied as habitable
12 space provided there is no technically feasible solution to comply with the
13 required ceiling height.

14 16.04.140 Section 804.2 amended—Automatic sprinkler systems

15 Section 804.2 of the International Existing Building Code is amended by
16 addition of the following exceptions:

17 Exception:

- 18 1. Group E day care facilities. Nine or fewer children in a dwelling unit. A
19 facility such as the one described in Section 305.1 in the International
20 Building Code within a dwelling unit and having nine or fewer children
21 receiving such day care shall be classified as a Group R-3 occupancy or shall
22 comply with the International Residential Code.
- 23 2. Institutional Group I-4, day care facilities. Nine or fewer children receiving
24 care in a dwelling unit. A facility such as the one described in Section 308.6.4
25 in the International Building Code within a dwelling unit and having nine or
26 fewer children receiving custodial care shall be classified as a Group R-3
27 occupancy or shall comply with the International Residential Code.
- 28 3. Residential Group R-3 care facilities. Care facilities that provide
29 accommodations for nine or fewer children receiving care located within a
30 single family dwelling shall comply with the International Residential Code.

31 16.40.150 Section 810.1 amended Compliance with the building code.

1 Section 810.1 of the International Existing Building Code is amended with
2 the addition at the end of the sentence with the following:

3 For increased demand for food handling or chemical waste see Section
4 1010 of this code.

5 16.40.160 Section 1012.1.1 amended Compliance with Chapter 9

6 Section 1012.1.1 of the International Existing Building Code is deleted in
7 its entirety and replaced with the following:

8 1012.1.1 Compliance with Chapter 9. The requirements of Chapter 9 of
9 the International Existing Building Code shall be applicable for the new
10 occupancy classification only.

11 16.40.170 Section 1012.2 amended Fire protection system.

12 Section 1012.2 of the International Existing Building Code is amended by
13 addition of the following exceptions:

14 Exception:

- 15 1. Group E day care facilities. Nine or fewer children in a dwelling unit. A
16 facility such as the one described in Section 305.1 in the International
17 Building Code within a dwelling unit and having nine or fewer children
18 receiving such day care shall be classified as a Group R-3 occupancy or shall
19 comply with the International Residential Code.
- 20 2. Institutional Group I-4, day care facilities. Nine or fewer children receiving
21 care in a dwelling unit. A facility such as the one described in Section 308.6.4
22 in the International Building Code within a dwelling unit and having nine or
23 fewer children receiving custodial care shall be classified as a Group R-3
24 occupancy or shall comply with the International Residential Code.
- 25 3. Residential Group R-3 care facilities. Care facilities that provide
26 accommodations for nine or fewer children receiving care located within a
27 single family dwelling shall comply with the International Residential Code.

28 16.40.180 Section 1012.2.1 amended Fire sprinkler system.

29 Section 1012.2.1 of the International existing Building Code is amended
30 with the following exception:

1 Exception: Where the change of occupancy to a grade level Group A
2 occupancy meets all of the following:

- 3 1. Total area of occupancy change is not more than 2,500 square feet
- 4 2. Occupant load of the public use area is less than 100
- 5 3. The total area where the occupancy change occurs must be detected throughout
- 6 with an automatic fire alarm and detection system.

7 16.40.190 Section 1301.2— amended Conformance

8 Section 1301.2 of the International existing Building Code is amended
9 replacing sentence one with the following:

10 The building shall be made safe for human occupancy as determined by the
11 International Fire Code, International Property Maintenance Code and the
12 International Energy Conservation Code

13 16.40.200 Section 1301. 2— amended Conformance

14 Section 1301.2 of the International existing Building Code is amended by
15 the addition of the following sentence:

16 A pre-move inspection by the City of Longmont Building Inspection Division and
17 a performance bond by the contractor are required prior to the building being moved.

18 16.40.210 Chapter 14 deleted— Performance compliance method.

19 Chapter 14 of the International Existing Building Code is deleted in its
20 entirety.

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